

URGENT ACTION

PHOTOJOURNALIST'S TRIAL POSTPONED AGAIN

The trial of photojournalist Mahmoud Abu Zeid, known as Shawkan, has been postponed to 26 March. He has just spent four days in solitary confinement. He is a prisoner of conscience, detained solely for peacefully exercising his right to freedom of expression.

Egyptian judicial authorities postponed on 6 February the trial of **Mahmoud Abu Zeid**, known as **Shawkan**, to 26 March. It will be held in Cairo's Tora Police Institute Court, which is annexed to the Tora Prison Complex, raising further concerns over the fairness of his trial and undermining the presumption of innocence. Previous defendants at this court have complained about their trial proceedings, which included having to sit behind a glass screen, which they said prevented them from hearing the proceedings properly and taking part in presenting their defence.

Shawkan was put in solitary confinement for four days in the evening of 5 February, for being the owner of a mobile phone: the prison authorities had found it in a search of the cell he shares with other detainees, one of whom said the phone was his, but the prison authorities insisted it was Shawkan's. In solitary confinement he had no family visits, was only given a little bread and a small amount of dirty water every day, and had to use a bucket as a toilet.

Mahmoud Abu Zeid has been detained since 14 August 2013, when he was arrested while photographing the violent dispersal of the Rabaa al-Adawiya sit-in in Cairo. He is the only Egyptian journalist to have been held for over 850 days, over the two-year maximum pre-trial detention set out in Article 143 of Egypt's Code of Criminal Procedures.

Mahmoud Abu Zeid is facing trumped-up charges, all of which he has denied. He is still being denied access to medical care, though his health is deteriorating as a result of Hepatitis C. His family have appealed repeatedly to the prosecutor to release him on medical grounds.

Please write immediately in Arabic, English or your own language:

- Urging the Egyptian authorities to drop all charges against Mahmoud Abu Zeid and release him immediately and unconditionally as he is a prisoner of conscience, detained solely for peacefully exercising his right to freedom of expression;
- Calling on them to ensure he is treated humanely.

PLEASE SEND APPEALS BEFORE 22 MARCH 2016 TO:

Public Prosecutor

Nabil Sadek
Office of the Public Prosecutor
Madinat Al-Rihab
New Cairo, Egypt
Salutation: Dear Counsellor

President

Abdel Fattah al-Sisi
Office of the President
Al Ittihadia Palace
Cairo, Egypt
Fax: +202 2 391 1441
Email: p.spokesman@op.gov.eg
Twitter: @AlsisiOfficial
Salutation: Your Excellency

And copies to:

Deputy Assistant Minister of Foreign
Affairs for Human Rights
Mahy Hassan Abdel Latif
Ministry of Foreign Affairs
Corniche al-Nil, Cairo, Egypt
Fax: +202 2574 9713
Email: Contact.Us@mfa.gov.eg
Twitter: @MfaEgypt

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the fourth update of UA 243/14. Further information:

<https://www.amnesty.org/en/documents/mde12/2534/2015/en/>

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ADDITIONAL INFORMATION

Mahmoud Abu Zeid is a freelance photojournalist who was arrested while on an assignment for the British photo agency Demotix, covering the Egyptian security forces' violent dispersal of the Rabaa al-Adawiya sit-in on 14 August 2013. The agency told the Prosecutor's Office that he was working with them at the time, but he was still detained.

His detention order has been renewed repeatedly, to allow for questioning and investigations by the Public Prosecution. The Egyptian Code of Criminal Procedures (CCP) allows pre-trial detention for such purposes for up to six months if charged with misdemeanours, or 18 months if charged with felonies, and two years if the alleged offence is punishable by life imprisonment or death (Article 143 of the CCP). Mahmoud Abu Zeid's detention exceeded this limit in August 2015. His lawyers submitted a petition to the Court of Appeal for him to be released immediately, but without success.

Mahmoud Abu Zeid has said police and soldiers beat him during his first day under arrest and on 17 August, when he was transferred to Abu Zaabal Prison. Officers are understood to have punched and kicked him, and beat him with batons. He was also kept in a parked truck for eight hours when the temperature was above 30°C, without food, water or fresh air when he got to Abu Zaabal Prison. He wrote a letter in April 2015, which has been published by Amnesty International, detailing the appalling conditions and describing his indefinite detention as "psychologically unbearable".

Mahmoud Abu Zeid was due to go on trial on 6 February, with 738 others. His trial was delayed on 12 December, apparently to allow time for construction work to enlarge the defendants' cages as court officials realized the courtroom was too small to hold all the defendants. The proceedings against Shawkan have been unfair. His lawyers have repeatedly been denied access to key documents relating to the case, including the list of charges. This has made it difficult for them to prepare his defence. Mass trials also make it difficult to ensure the right to a fair trial is guaranteed for each of the defendants. The Egyptian authorities have used mass trials to target opposition groups, with many of those put on trial facing trumped-up charges without consideration of proving each defendant's criminal responsibility.

Egypt is a state party to the International Covenant on Civil and Political Rights (ICCPR), Article 9 of which prohibits arbitrary detention. And Article 19 of the ICCPR guarantees the right to seek, receive and impart information and ideas. Article 14 guarantees the right of everyone to a fair and public hearing by a competent, independent and impartial tribunal established by law. The article further guarantees the rights of everyone facing criminal charges to be informed promptly of the nature and cause of the charges against them; the right to have adequate time and facilities for the preparation of their defence; the right to be tried in their presence; and the right to examine, or have examined, the witnesses against them.

Name: Mahmoud Abd Al Shakur Abu Zeid ("Shawkan")

Gender m/f: m

Further information on UA: 243/14 Index: MDE 12/3416/2016 Issue Date: 9 February 2016